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SUBJECT: BELARUS: 2008-2009 INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT (INCSR) PART ONE

REF: STATE 100992

¶1. The following is the submission by Embassy Minsk for Part One of the 2008-2009 INCSR. Please note that post is operating under extreme conditions with only five American staff. Please direct any questions about this report to EUR/UMB.

¶2. Summary: Belarus remains a transit route for traffic in illicit drugs and drug precursors, and reports of drug use and drug-related crime in Belarus increased in 2008, although there is no evidence of large-scale drug production in the country. While some externally funded initiatives such as BUMAD have been discontinued, Belarus continues to work within the CSTO framework to address trafficking within and from those countries, both in policy and law enforcement areas.

¶3. A December 2007 law strengthened Belarusian laws against drug production and distribution, and in 2008 a National Action Plan was formulated to coordinate government and NGO antidrug efforts. In addition, legal steps have been taken to facilitate UN technical assistance programs. Some significant drug seizures were made this year, but the quantities involved may only hint at the reality, and law enforcement suffers from a lack of coordination as well as funding and equipment shortfalls.

¶4. The estimated number of drug users in Belarus remains unchanged from last year, although the number of registered addicts increased. Some non-governmental organizations concerned with narcotics treatment and mitigation which were denied registration in previous years have been permitted to resume operation; in short, availability and quality of services have improved somewhat but a great deal of work remains.

¶5. Status of Country: Because of its geographical location and good transportation infrastructure, Belarus is very attractive as a transit route for drug traffic. Belarus' customs union with Russia and the resultant lack of border controls between those two countries make drug transit easier. The problem may be exacerbated if members of the Eurasian Economic Community (Belarus, Russia, Kazakhstan, Kyrgyzstan Republic and Tajikistan) create a customs union by 2010, as proposed.

¶6. There is no evidence of large-scale drug production in, or export from Belarus, although synthetic and plant-based narcotics production seem to be growing. Indications are that although plant narcotics dominate the illicit drug market (approximately 80-85% plant-based to 15-20% synthetic) the ratio appears to be shifting toward synthetic drugs (e.g. methadone.)

¶7. Although law enforcement officials of neighboring countries maintain that Belarus is a source of precursor chemicals, senior officials of Belarus' Interior Ministry flatly deny this. Whatever drug production and cultivation may exist in Belarus, they are not the most pressing problem. Drug abuse prevention, treatment, and transit issues must be addressed first, if the country is to reach full compliance with the 1988 UN Drug Convention.

¶ 8. Country Actions Against Drugs in 2008: Belarus Policy Initiatives. At the meeting of the Political Group of the UNODC-led partnership Paris Pact Initiative in December 2007, Belarus proposed that measures be taken to bar shipments of drug precursors to Afghanistan from anywhere in the world unless approved by the government of Afghanistan. Details of this mechanism, and prospects for implementation, are unknown.

¶ 9. In January 2008 Belarus' Interior Minister Vladimir Naumov and UNODC officials signed a Memorandum of Understanding on drug trafficking control and crime prevention. In July 2008, unspecified Interior Ministry officials participated in the OSCE conference on international cooperation in fighting illegal drug and precursor trafficking. At this conference, Belarus supported Russia's initiative to strengthen antinarcotics and financial security belts around Afghanistan via the orchestrated efforts of the Collective Security Treaty Organization (CSTO).

¶ 10. In 2008, the Interior Ministry and other governmental agencies jointly drafted a National Action Plan to counteract drug abuse and illicit drug trafficking and related crimes in Belarus. From 2009 through 2013, this Plan will consolidate the counter-drug efforts of all government agencies and NGOs under Interior Ministry coordination. Drug trafficking is routinely addressed at the regular meetings of the Security Council's Interagency Committee on crime, corruption and drugs.

¶ 11. In December 2007 the Belarusian President signed a bill which listed "particularly dangerous narcotics and psychotropic substances" and toughened criminal liability for distribution of these substances in public recreation areas, educational facilities and penal facilities. This same law instituted criminal liability for the planting and cultivation of narcotic

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plants for purposes either of sale or production of drugs and psychotropic substances, as well as the illicit trafficking in precursors (not listed), regardless of production or intent to produce drugs or psychotropic substances. Also in December 2007, Belarus Trade Ministry issued a resolution to prohibit the retail trade in poppy seeds at grocery markets, and the Council of Ministers signed a resolution to prohibit mailings of anonymous packages to prisons and other correctional facilities.

¶ 12. Joint Policy Initiatives: Belarus actively participates in developing CSTO anti-narcotics policies. At a regular meeting of CSTO member states in March 2008 Belarus suggested drafting a Single List of narcotics, psychotropic substances and precursors, to avoid claims and criminal charges for illegal delivery, transit or possession of substances which would be legal in other member states.

¶ 13. Belarus has cooperated closely with the joint UNDP-European Union program BUMAD (Belarus, Ukraine, Moldova Anti-Drug Program), which was directed at bringing those countries' drug policies in line with European standards and reducing trafficking of drugs into the European Union. This program has supported development of prevention and monitoring systems, improved the legal framework, and provided training and equipment. According to Belarus' Interior Ministry and local UNDP officials, BUMAD will cease operation in April 2009.

¶ 14. The BOMBEL Program, an EC and UNDP joint project designed to raise Belarusian border management to EU standards, ended in December 2007. No 2008 projects were funded.

¶ 15. A related although separate program, BOMBEL-3, began implementation in 2008. BOMBEL-3 is administered by the European Commission representative office in Ukraine, and is to fund the installation of a fiber-optic communication network among all border checkpoints in Belarus. Note that the Russia-Belarus border has no checkpoints and will not be included in this network.

¶ 16. Although sources indicate that some OSCE and UN suggestions

were implemented through BOMBEL and/or BUMAD, concrete information on which remain outstanding, which were implemented, and their level of success is unavailable. Authorities still lack sufficient funding and training, and need to improve treatment, rehabilitation and information collection practices.

¶117. Law Enforcement Efforts: Reliable statistics are hard to come by, but print and on-line media reports reflect more instances of local drug use and drug-related crimes in 2008 than in 2007. Belarusian law enforcement authorities attribute this increase to improved detection, and state that the crime rate is no higher than a year ago. Print and electronic media in Belarus routinely issue anti-drug trafficking materials, including commercials, articles, coverage of news conferences, and press releases.

¶118. Police discovered a methamphetamine lab in Grodno in May 2008, and a pseudo-ephedrine lab in Minsk in that October. Later in October, in a separate Minsk operation, police seized 113 kg of pseudo-ephedrine- the largest confiscation of a psychotropic substance in the history of the country. Between January 1 and November 1, authorities seized approximately 126.5 kg of psychotropic substances and 574 kg of other drugs. Drugs seized (in kg) are as follows:

Poppy Straw (410.4);
Marijuana (136.2);
Raw Opium (0.561);
Heroin (0.387);
Amphetamine (2.8);
Methamphetamine (3.6);
Methylenedioxymethamphetamine (MDMA) (1.98)
Acetylated Opium (2.9);
Hashish (18.7);
Cocaine (0.26);
Extraction opium (19.5)
Methadone (2).
Morphine (0.12)
Pseudoephedrine (113)

¶119. In the first six months of 2008, 1,183 people were convicted for drug related crimes in Belarus. During the same period police accounted for 2,413 illegal plantations, which included the destruction of 52 tons of poppy from a total planting area which exceeded 266 square kilometers.

¶120. According to official statistics, 3,449 drug-related crimes were recorded in the first ten months of 2008. These comprised: narcotics thefts - 35, instances of illicit trafficking - 3,307, cultivation of narcotic plants - 13, drug pushing - 24, and the organizing of drug dens - 70.

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¶121. In September and November 2008, more than 2,170 officers of Belarus' Interior Ministry, Customs Committee, KGB and Border Guard Committee actively participated in CANAL-2008, a CSTO operation aimed at prevention and interdiction of illicit drug deliveries from Afghanistan to and through CSTO countries. During this operation, 214 drug-related crimes were recorded, criminal charges were brought against 185 persons, and 145 kilograms of narcotics were seized.

¶122. In a report presented in September 2006 (the most recent available) the State Border Troops' Committee conceded that official seizure figures do not reflect the reality of the problem. Government officials privately admit that enforcement efforts suffer from inadequate communication and coordination, as well as from inter-agency rivalries.

¶123. Belarus' law enforcement agencies have permanent working contacts on drug trafficking issues with their counterparts in neighboring countries.

¶124. Corruption: As a matter of government policy, Belarus does not encourage or facilitate illicit production or distribution

of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. No senior officials of the government are known to engage in, encourage, or facilitate the illicit production or distribution of such drugs, or the laundering of proceeds from illegal drug transactions.

¶25. In July 2006, President Lukashenko signed an anticorruption law to comply with the Council of Europe's 1999 Criminal Law Convention on Corruption, which Belarus ratified in 2004. Belarus also ratified the Council of Europe's 1999 Civil Law Convention on Corruption in December 2005, but to date no corresponding amendments to the Belarusian civil code have been made.

¶26. A few high-level personnel within the Interior Ministry and General Prosecutor's Office were arrested and charged for corruption in 2008, but none of the charges were drug-related. The perception that corruption remains a serious problem among border and customs officials and makes interdiction of narcotics difficult was supported by Lukashenka's March 2008 remark that corruption is "a cancerous tumor" in the State Customs Committee.

¶27. Agreements and Treaties: Belarus is a party to the following UN conventions: The 1961 UN Single Convention as amended by the 1972 Protocol, the 1971 UN Convention on Psychotropic Substances, the 1988 UN Drug Convention, the UN Convention against Corruption, and the UN Convention against Transnational Organized Crime and its protocols against migrant smuggling, trafficking in persons and manufacturing and trafficking in illegal firearms.

¶28. Belarus is also a member of the Collective Security Treaty Organization (CSTO) with Armenia, Kazakhstan, Kyrgyzstan, Tajikistan and Russia and conducts joint counter-narcotics operations with those countries. Before the end of 2008, Russia and Belarus plan to complete a unified list of narcotics, psychotropic substances and their precursors subject to state control, in order to avoid criminal liability in one country for drugs which are legal in the other.

¶29. In November 2008, Lukashenka signed two edicts to facilitate cooperation with the European Commission. The first of these approved signing of an agreement-in-principle with the European Commission that would allow further development of EU technical assistance programs in energy, customs infrastructure, illegal migration, international crime, environment and other areas. The second edict amends the Belarus national law to ensure that the European Commission representative office enjoys diplomatic status under the Vienna Convention.

¶30. Cultivation/Production: There is no confirmed widespread illicit drug cultivation or production in Belarus, in part because conviction for growing narcotic plants for sale can result in prison sentences of as long as 15 years. Belarus has recently criminalized the cultivation of plants for the purpose of producing drugs, as well as for illegal trade in precursors, regardless of intent to produce drugs.

¶31. Nevertheless, some cultivation and production exists. Precursor chemicals continue to be imported in volumes, but the current legal structure makes it difficult to prevent their distribution. In 2007, 1,990 entities have licenses for manufacturing and storage of precursors and 15,000 employees have access to the substances. There is no indication that these numbers have changed. Reported increases in demand for poppy-seed, and subsequent tenfold increase in price, prompted a

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December 2007 ban on retail sale of poppy at grocery markets.

¶32. Drug Flow/Transit: According to the Ministry of Internal Affairs and KGB press releases, heroin enters and transits Belarus from Afghanistan via Central Asia and Russia. Poppy straw, opium, and marijuana enter through Ukraine; ecstasy,

amphetamines, hashish and marijuana come from Poland and Lithuania; cocaine comes from Latin America and (unspecified) precursors from Russia. Heroin and methadone from Russia transit Belarus en route to Lithuania and other European countries. East-bound Dutch marijuana, hashish and cocaine transit Belarus and Lithuania as well.

¶33. Press reports continue to indicate that the control infrastructure along the border with Ukraine is particularly weak; no further information is available on alleged State Border Control Committee plans to tighten it.

¶34. In accordance with their bilateral customs union agreement, Belarusian border guards are not deployed on the border with Russia, which is policed by Russian forces. Apparently, customs officers currently inspect only five percent of all inbound freight, and border guards often lack the training and equipment to conduct effective searches. The BOMBEL and BUMAD programs helped Belarus to address these problems, but much work remains to be done.

¶35. Demand Reduction: Belarusian authorities have begun to recognize the growing domestic demand problem, particularly among young people. Ministry of Health chief addiction officer Vladimir Maksimchuk announced that the number of registered drug users in the country has increased threefold since 1995, to 6,907 (as of May 1, 2008), but acknowledged that the actual number of users was much higher. Maksimchuk's 2007 estimate of 60,000 remained unchanged for 2008, and was corroborated by personnel at the Ministry of Internal Affairs. In 2007 the youngest registered addict was 16 years old; in 2008 children as young as ten years of age made the list. The largest number of drug users are between 20 and 30 years old, and prevention programs in schools remain under-funded. News reports indicate that the ratio of consumers of oral (vs. injected) drugs is growing due to the relative ease of concealment of oral drug use.

¶36. The government generally treats drug addicts in psychiatric hospitals or at outpatient narcotics clinics (of which there are 21 in Belarus), either as a result of court remand or self-enrollment, or in prisons. On the whole, treatment emphasizes detoxification over stabilization and rehabilitation.

As of June 2008, the Ministries of Health and Interior announced that they were reviewing the possibility of mandatory treatment in lieu of criminal liability for first-time users, unless guilty of a serious crime. To date no decision has been made.

¶37. The methadone substitution clinic opened by the Ministry of Health in Gomel in September 2007 was the first and is still the only such clinic in operation. A second clinic in Minsk was planned, but so far has not been built or even funded. The Gomel clinic reportedly served 7 people in 2007, and planned to expand to 15 this year; however, no legislation calling for the expansion of this or any other rehabilitation programs has been passed.

¶38. There are at least twelve small-scale NGO-run rehabilitation centers in various areas of Belarus. According to a UNDP official and a representative of a Belarus-based NGO, in contrast to previous years, in 2008 the government of Belarus did not withdraw registration of any NGOs providing assistance to victims of drug abuse.

¶39. On the whole, availability and quality of services have improved somewhat, but they remain available only to registered drug addicts. Since drug use remains highly stigmatized in Belarusian society, and because the official drug addict registry is readily available to Belarusian law enforcement and other government agencies, drug addicts often avoid seeking treatment, fearing adverse consequences at work, school, and in society if their addiction becomes known.

¶40. U.S. Policy Initiatives and Programs: Bilateral Cooperation. The USG has not provided counter-narcotics assistance to the GOB since February 1997. Although some working-level assistance and contacts have existed in the area of law enforcement, these ceased in early 2008, when the GOB

forced a drawdown of the official American presence in Belarus from 35 to 5 persons and began denying visit visas to law enforcement personnel. The 2005 imposition of restrictions of technical assistance and taxation of humanitarian aid by the Government of Belarus pose other hurdles to assistance. Although we hope for improvement in the bilateral relationship, present conditions do not favor cooperation.

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¶41. The Road Ahead. The USG will continue to encourage Belarusian authorities to enforce their counter-narcotics laws, render working-level assistance when appropriate, and monitor the progress of existing assistance programs.

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